

REMARKS

Initially, Applicant would like to express his appreciation to the Examiner for the detailed Official Action provided on April 7, 2005.

Upon entry of the above amendment, claim 1 will have been amended. Thus, claims 1-4 are currently pending. Applicant respectfully requests reconsideration of outstanding rejection, and allowance of all the claims pending in the present application.

This proposed amendment is presented 37 C.F.R. 1.116, and in regard to claim 1, the amendment is merely made to recite the nature of the present invention more clearly. Therefore, the present amendment is not believed to require undue consideration or further search by the Examiner. Thus, entry of the proposed amendment is believed to be proper and is hereby requested.

On page 2 of the Official Action, claims 1-4 were rejected under 35 U.S.C. 103(a) as being unpatentable over PETERSON (US 3,896,404) in view of CAROTHERS (US 5,325,078). Applicant respectfully traverses the rejection of claims 1-4.

Claim 1, as presently amended, includes, inter alia, "*A hood switch... said magnetic element is positioned on an external surface of the inner panel without being embedded in the inner panel.*" As mentioned in the previous response, Applicant respectfully

submits that CAROTHERS fails to disclose the combination of the conductor element and the magnetic element. Further, due to the present amendment, PETERSON fails to disclose a magnetic element which is positioned on a surface of an inner panel (not embedded in the inner panel).

In this regard, it is noted that the primary object of PETERSON is to provide a concealed switch which is directed to a surveillance over doors (see lines 7-16, first column of PETERSON). Furthermore, in accordance with the object, the entire elements of PETERSON are supposed to be completely concealed when the switch is installed in a door (see lines 19-31, first column of PETERSON). In this regard, it is submitted that no elements are present on the front surface of a door. On the contrary, the magnetic and conductor elements are recessed in a back surface of the door (see Figs. 1 and 2 of PERTERSON).

One aspect of the present invention is to eliminate an additionally-processed hole on the inner panel and to improve the stiffness/hardness of the front end module carrier (see line 12-16, page 4 of the specification of the present invention). In this regard, claim 1 has been amended to more clearly define this feature as "positioned ... without being embedded...".

Applicant respectfully submits that in the disclosure of PETERSON teaches away from the presently claimed invention, and further, that such a teaching away is a significant factor to be considered (see MPEP 2145 X-D.) Accordingly, PERTERSON is not proper as prior art of the present invention. Additionally, the combination of PERTERSON and CAROTHERS is also no longer proper.

Applicant also submits that dependent claims 2-4, which are at least patentable due to their respective dependencies from claim 1 for the reasons noted above, recite additional features of the invention and are also separately patentable over the prior art of record.

For the above reasons, it is submitted that the rejection of claims 1-4 is not proper. Applicant respectfully requests the Examiner to reconsider and withdraw the rejection, and provided an early indication of the allowability of claims 1-4.

SUMMARY AND CONCLUSION

It is believed that the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. The Applicant therefore respectfully requests that the Examiner reconsider and withdraw the presently outstanding rejection. It is believed that a full and completed response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested.

Should the Examiner have any questions concerning this response, or the present application, the Examiner is respectfully requested to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
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